

**Keith D. Karnes**, Oregon State Bar ID Number 03352

FILED 08 DEC 12 11:16 USDC-OR

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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

CAROL PICKETT,

Case No.

08-3132-CL

Plaintiff,

v.

COMPLAINT FOR VIOLATIONS OF  
FAIR DEBT COLLECTION  
PRACTICES ACT; and VIOLATION  
OF THE OREGON UNLAWFUL  
DEBT COLLECTION PRACTICES  
ACT

RAY KLEIN INC. an Oregon  
Corporation, dba PROFESSIONAL  
CREDIT SERVICE

JURY REQUESTED

Defendant.

JURISDICTION

1. Jurisdiction of this Court arises under 28 U.S.C. § 1331 and pursuant to 15 U.S.C. § 1692k(d).
2. This action arises out of Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq. ("FDCPA").
3. Venue is proper in this District because the acts and transactions occurred here,

COMPLAINT

#1477

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Plaintiff resides here, and Defendant transacts business here.

#### PARTIES

4. Plaintiff Carol Pickett (hereinafter "Plaintiff") is a natural person who resides in the City of Medford, State of Oregon, and is a "consumer" as that term is defined by 15 U.S.C. § 1692a(3).

5. Defendant Ray Klein Inc., an Oregon Corporation dba Professional Credit Service, (hereinafter "Defendant") operating from an address of 2892 Crescent Avenue Eugene, OR 97408 is a "debt collector" as that term is defined by 15 U.S.C. § 1692a(6).

#### FACTUAL ALLEGATIONS

6. In 2007 Plaintiff volunteered to take her daughter's two children to Shoreview Dental. The services received for her grandchildren were billed to Plaintiff's daughter's account.

7. At no time did Plaintiff agree to be responsible for payment of her daughter's account.

8. In March of 2007 Plaintiff made a payment on her daughters account at Shoreview Dental to help her daughter with her financial difficulties.

9. Shoreview Dental sold, assigned, or transferred Plaintiff's daughters account to Defendant.

10. Defendant started to call Plaintiff in an attempt to collect Plaintiff's daughters debt.

11. Plaintiff repeatedly told Defendant she did not owe the debt and to stop calling her.

12. Despite Plaintiff's actions Defendant continued to try to collect from Plaintiff.

TRIAL BY JURY

13. Plaintiff is entitled to and hereby respectfully demands a trial by jury. US Const. amend. 7. Fed. R. Civ. Pro. 38.

CAUSES OF ACTION

COUNT I.

VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT

15 U.S.C. § 1692 *et seq.*

14. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

15. The foregoing acts and omissions of defendant constitute numerous and multiple violations of the FDCPA including, but not limited to, 15 U.S.C. § 1692d, 1692e, 1692e(5), 1692e(10), and 1692f.

16. As a result of defendant's violations of the FDCPA, plaintiff is entitled to actual damages pursuant to 15 U.S.C. § 1692k(a)(1); statutory damages in an amount up to \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A); and, reasonable attorney's fees and costs pursuant to 15 U.S.C. § 1692k(a)(3).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that judgment be entered against defendants for:

COUNT I.

VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT


15 U.S.C. § 1692 *et seq.*

for an award of actual damages pursuant to 15 U.S.C. § 1692k(a)(1) against each and every defendant;

for an award of statutory damages of \$1,000.00 pursuant to 15 U.S.C. §1692k(a)(2)(A) against each and every defendant;

for an award of costs of litigation and reasonable attorney's fees pursuant to 15 U.S.C. § 1692k(a)(3) against each and every defendant;

DATED: November 26, 2008

  
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/s/ Keith D. Karnes  
Keith D. Karnes  
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Attorney for Plaintiff Carol Pickett